

NLSchools refers to all public K-12 English schools and school-related facilities under the jurisdiction of the Department of Education, Education Operations Branch and all employees working therein providing services and supports to such schools, including those who work in the areas of school facilities, student transportation, program implementation, student services, and procurement.

Policy Name

Teacher Leave

Policy Statement

All leaves from positions within NLSchools for individual teachers shall be granted in accordance with the [NLTA Collective Agreements](#) and relevant legislation.

Background

The Department of Education supports and values employee professional development and is sensitive to the personal needs of employees. The purpose of the Teacher Leave Policy and related administrative procedures is to ensure that the approval process for teacher leave requests is transparent and efficient, and outlines the process for the requesting, reviewing, and the granting of leaves.

Scope

This policy applies to all teaching staff as defined by the [NLTA Collective Agreements](#) within NLSchools.

Definitions

Discretionary Leave

Any leave which appears as a 'may' clause in the [NLTA Collective Agreements](#) and can be granted at the discretion of the Department.

Non-Discretionary Leave

Any leave which appears as a 'shall' clause in the [NLTA Collective Agreements](#).

Secondment

Occurs when a teacher is temporarily assigned, with employer consent.

Policy Directives

1. The department recognizes and supports the following types of extended leaves:
 - a) Paid Educational Leave
 - b) Professional Leave
 - c) Maternity/Paternity/Adoption/Parental Leave
 - d) Sick Leave
 - e) Deferred Salary Leave
 - f) NLSchools Approved Leave
 - g) Teacher Secondments
 - h) Leave Without Pay
2. All extended leaves shall be submitted in writing to the Education Operations Branch, Senior Management Official (Human Resources).
3. All discretionary leave requests shall be submitted in writing or electronically and on the official Leave Request Form. The Principal's signature indicates support of the requested leave. All requests for discretionary leaves will be decided after consideration of the impact on student instruction and operational issues.
4. Teachers shall adhere to the time requirements for each type of leave as specified in the NLTA Collective Agreements. This applies to length of leave and advance notices.
5. Where advance written requests are not specified in the NLTA Provincial Collective Agreement, a general two-week advance request for short-term leave is required. For emergencies or instances with unavoidable time restraints, a telephone call from the school principal to the Senior Management Official (Human Resources) shall be considered. In such cases, a written request should be forwarded as soon as possible.
6. The department maintains its right to request a medical certificate from any teacher should circumstances warrant.
7. Once a leave of absence has been granted and a replacement teacher has been employed, the applicant cannot return to their position until the end of the period for which the leave was granted unless otherwise stated in the contract.

Administrative Procedures

1. Sick Leave

- 1.1 Teachers who are unable to perform their duties due to injury, illness or other disability must inform their Principal or immediate supervisor in a timely fashion so appropriate arrangements, including the hiring of a substitute or replacement teacher, can be made.
- 1.2 The Senior Management Official (Human Resources) or designate will monitor the use of sick leave throughout NLSchools.
- 1.3 Upon proof of illness, and after the expiration of a teacher's paid sick leave, unpaid sick leave shall be granted in accordance with Clause 15:13 of the [NLTA Provincial Collective Agreement](#).

2. Paid Educational Leave

- 2.1 Teachers who are in a permanent position with NLSchools will be considered for paid educational leave based upon criteria which reflect current needs for training within NLSchools, and in accordance with Article 20 of the [NLTA Provincial Collective Agreement](#).
- 2.2 NLSchools will use the following criteria for prioritizing nominations for consideration by the provincial Educational Leave Committee:
 - a) **Category 1:** Teachers who need to complete a program to continue in their present positions.
 - b) **Category 2:** Teachers who are upgrading in areas important to the overall objectives of their particular school and of NLSchools.
 - c) **Category 3:** Teachers who are upgrading in programs which are consistent with their teaching assignment.
 - d) **Category 4:** All other applicants.
- 2.3 Nominees who have been approved for Paid Educational Leave must notify the Human Resources Division of the dates of the commencement and termination of this leave within 30 days of their notification of leave approval by the provincial Educational Leave Committee. Exceptions to the 30 days notification may be considered on an individual basis.

2.4 The deadline for submission of Educational Leave applications to NLSchools shall be the last working day before the Christmas Break.

3. Professional Leave

3.1 NLSchools endorses the development of a Professional Development Plan at the school level and a Professional Growth Plan by each teacher. The individual Professional Growth Plans must support the goals of the School Development Plan and Department Strategic Plan.

3.2 Professional Development (PD) is classified in three categories:

- a) Department of Education Professional Development (PD)
- b) NLTA PD events (e.g. SIC, Teacher Induction, etc.)
- c) PD sponsored by other agencies or interest groups including those working in partnership with the K-12 school system.

3.3 NLSchools places priority on Department-Sponsored PD.

3.4 Requests for PD Leave shall be considered in accordance with Clauses 18.04 and 18.05 of the [NLTA Provincial Collective Agreement](#).

3.5 When a school(s) is closed for PD, teachers are not required to make individual requests for leave.

3.6 Any teacher unable to attend a scheduled PD session must contact their school principal prior to the commencement of the session. The principal must ensure that an accurate attendance record is maintained for the day.

3.7 Should a teacher, in consultation with the principal, determine that a PD activity sponsored by an outside agency will accrue professional benefit to the teacher and the school, normal leave procedures will apply.

4. Maternity/Adoption/Parental Leave

4.1 All requests for Maternity/Adoption/Parental leave shall be in accordance with Article 17 of the [NLTA Provincial Collective Agreement](#).

4.2 Teachers accessing paid sick leave following delivery, and prior to commencing maternity leave, must submit a medical certificate on the

form provided by the Human Resources Division. The form is available upon request from the Human Resources Division.

- 4.3 All job postings and contract letters for Maternity/Adoption/Parental leave replacement positions shall state that the end date of the term position may vary, depending on the early return to work of the permanent teacher. Teachers on Maternity/Adoption/Parental leave shall give their principal or immediate supervisor at least 10 working days' notice in advance of an early return to work and the replacement teacher shall be notified of same immediately.

5. Deferred Salary Leave

- 5.1 In accordance with Article 51 of the [NLTA Provincial Collective Agreement](#), any teacher having tenure with NLSchools and requesting participation in the Deferred Salary Plan shall be granted approval, subject to NLSchools hiring a suitable replacement.
- 5.2 The teacher must inform the Superintendent of Schools or designate of their intention to take this leave by the end of April, prior to the commencement of the school year in which the leave will occur.

6. Department-Approved Leave

- 6.1 A maximum of three days leave with pay may be available to teachers at the discretion of NLSchools in accordance with Clause 18:09 the [NLTA Provincial Collective Agreement](#).
- 6.2 All requests must be in writing to the Senior Management Official (Human Resources). For emergencies or instances with unavoidable time restraints, a telephone request for approval will be accepted and the teacher should forward their written request to the Senior Management Official (Human Resources) at the earliest opportunity.

7. Teacher Secondments and Leave Without Pay

- 7.1 NLSchools will consider the following factors when assessing requests for TEACHER SECONDMENTS and LEAVE WITHOUT PAY:
 - a) Effect of the secondment/leave on students, instruction and delivery of programs;

- b) availability of a competent, suitable and qualified replacement; and,
- c) timing of the request in relation to the school calendar.

7.2 TEACHER SECONDMENT

- a) In accordance with Article 46 of the [NLTA Provincial Collective Agreement](#), Memorial University may second teachers with the mutual consent of the teacher and NLSchools.
- b) Requests for secondment must be sent to the Senior Management Official (Human Resources). When the request involves a school-based employee, the principal of the school concerned will be consulted before a decision is made.
- c) Requests for secondment will be considered on an individual basis.
- d) Requests for secondment of probationary teachers will not be considered.
- e) Leaves for secondment may be granted for up to two years at the discretion of NLSchools. Teachers in this situation will be deemed to be on leave from a specific position.
- f) If a secondment is extended beyond a two-year period, NLSchools will cease to hold a specific school-based position for the teacher.
- g) An NLSchools pool will be established for teachers whose secondment extends beyond two years.

7.3 LEAVE WITHOUT PAY

- a) Leave without pay may be granted under Article 19 of the [NLTA Provincial Collective Agreement](#) for reasons deemed valid by NLSchools.
- b) Requests for leave without pay for a period exceeding one month in duration shall be made to the Senior Management Official (Human Resources). When possible, such requests shall be made at least three months prior to the commencement of the leave and shall state the reason for leave being requested.
- c) Leave requests and circumstances will be considered on an

individual basis.

- d) Leave without pay for vacation purposes may be granted once per school year for a term not to exceed 5 days. Consideration will be subject to the factors cited in 7.1 above.
- e) Requests for unpaid leave beyond one week in duration will not be considered for probationary teachers unless extenuating circumstances exist.
- f) Leave without pay for the purpose of upgrading teacher qualifications and/or experience shall be credited as teaching experience for purposes of seniority and salary increments.
- g) A teacher elected to serve in the Provincial House of Assembly or House of Commons shall be granted leave without pay to serve one elected term of office.
- h) A teacher elected to the office of President of the Newfoundland and Labrador Teachers' Association or President of the Canadian Teachers' Federation shall be granted leave without pay to fill such office.